

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BASAALY SAEED MOALIN, et al.,

Defendants.

CASE NO. 10CR4246 JM

NOTICE; SCHEDULING ORDER

NOTICE: In order to develop the factual record necessary to determine Defendants' motions to suppress FISA wiretap evidence, the parties are advised that the court will conduct an *in camera* review of pertinent classified materials during the week of March 19, 2012.

In order to assist the court in analyzing the FISA related materials, Defendants may file confidential supplemental briefs identifying potential defenses, strategies, and theories of relevancy.¹ The court anticipates that the supplemental briefs will provide context in which to view the classified materials and assist the court in identifying evidence favorable to Defendants. Defendants shall file the supplemental briefing under seal, without service on the Government, by March 9, 2012.

In the event the court requires further clarification of any FISA related issue, or issue arising

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¹ At the February 9, 2012 hearing on Defendants' pretrial motions, and in Defendant Moalin's pretrial motions, the defense requested the opportunity to provide the court with context in which to evaluate the FISA materials. (RT 12:14 - 15:10)

1 from Defendants' supplemental briefs, the parties are advised that the court may schedule an *ex parte*
2 status conference with defense counsel to discuss such matters.

3 **IT IS SO ORDERED.**

4 DATED: February 23, 2012

5 
6 Hon. Jeffrey T. Miller
United States District Judge

7 cc: All parties
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